

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2001-364-T - ORDER NO. 2008-234
APRIL 3, 2008

IN RE: Application of Gabriel's Transportation)	ORDER REVOKING
Service, Inc., 132 Cochran Drive, Greenville,)	CERTIFICATE OF
South Carolina 29611 (District 4) for a Class)	PUBLIC CONVENIENCE
C Certificate of Public Convenience and)	AND NECESSITY FOR
Necessity)	THE OPERATION OF A
)	MOTOR VEHICLE
)	CARRIER

This matter comes before the Public Service Commission of South Carolina ("the Commission") by way of the Petition of the Office of Regulatory Staff ("ORS") to revoke the Certificate of Public Convenience and Necessity of Gabriel's Transportation Service, Inc. ("Gabriel's" or "Respondent"). ORS's Petition was filed with the Commission on November 20, 2007. As set forth in S.C. Code Ann. §58-23-10, et seq. (Supp. 2007), the Commission is responsible for the regulation of motor vehicle carriers operating for compensation and pursuant to S.C. Code Ann. §58-4-10, et seq. (Supp. 2007), the ORS is charged with the duty to protect the public interest.

On December 6, 2007, the Commission issued a Notice of Hearing, setting this matter for hearing on March 25, 2008, at 2:30 pm. A formal hearing regarding this matter was held at the Commission offices on Tuesday, March 25, 2008, at 2:30 p.m. ORS was represented by Shealy Boland Reibold, Esquire. Carole Chauvin, Program

Specialist and Records Custodian of ORS's Transportation Department, testified for the ORS.

At the hearing, Ms. Chauvin presented testimony that the Respondent in this matter requested an indefinite suspension of its certificate on March 26, 2003. By order dated April 2, 2003, the Commission indefinitely suspended Respondent's certificate. According to ORS's records, Respondent has not attempted to reinstate its certificate since that time. Additionally, no action has been taken to revoke the certificate permanently. ORS has attempted to contact Respondent to determine if it is still in business. The mail was returned to ORS as undeliverable, and ORS employees were unable to locate any telephone number or location for the business. On November 20, 2007, the ORS filed this Petition to Revoke the Certificate of Public Convenience and Necessity of Gabriel's. Again, there was no response to the Petition.

Additionally, Ms. Chauvin testified that a copy of the ORS's Petition had been mailed to Respondent, and the Commission mailed notice of the hearing in this matter to the last known address on file for Respondent, notifying it of this action.

The Commission finds that the Certificate of Public Convenience and Necessity held by Gabriel's (Certificate No. 7149) should be revoked and cancelled because this carrier has not attempted to reinstate its certificate in the nearly five years since the suspension was ordered; the carrier is failing to provide adequate service; its certification is no longer in the public interest; it is no longer meeting the fit, willing, and able criteria; and it is failing to act in conformity with the spirit and purpose of the law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificate of Public Convenience and Necessity (No. 7149) issued by the Commission in Docket No. 2001-364-T in Order No. 01-774 to Gabriel's Transportation Service, Inc. should be, and hereby is, revoked and cancelled.

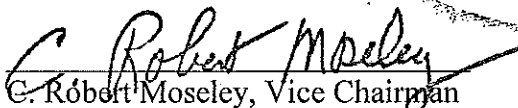
2. That all operating rights authorized under the Certificate held by Respondent and cancelled by this Order are null and void.

3. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


G. O'Neal Hamilton, Chairman

ATTEST:


C. Robert Moseley, Vice Chairman

(SEAL)